

104TH CONGRESS
2D SESSION

S. 1572

To amend title 23, United States Code, to provide funds and incentives for closures of rail-highway crossings, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 1996

Mr. DEWINE (for himself and Mr. LUGAR) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to provide funds and incentives for closures of rail-highway crossings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Railroad Crossing
5 Safety Act of 1996”.

6 **SEC. 2. FUNDS AND INCENTIVES FOR CLOSURES OF RAIL-**
7 **HIGHWAY CROSSINGS.**

8 (a) INCREASE IN FEDERAL SHARE OF CROSSING
9 CLOSURES.—Section 120(c) of title 23, United States

1 Code, is amended by inserting “rail-highway crossing clo-
 2 sure,” after “carpooling and vanpooling,”.

3 (b) INCENTIVE PAYMENTS FOR AT-GRADE CROSSING
 4 CLOSURES.—Section 130 of such title is amended by add-
 5 ing at the end the following:

6 “(i) INCENTIVE PAYMENTS FOR AT-GRADE CROSS-
 7 ING CLOSURES.—

8 “(1) IN GENERAL.—Notwithstanding any other
 9 provision of this section and subject to paragraphs
 10 (2) and (3), a State may, from sums available to the
 11 State under this section, make incentive payments to
 12 local governments in the State upon the permanent
 13 closure by such governments of public at-grade rail-
 14 way-highway crossings under the jurisdiction of such
 15 governments.

16 “(2) INCENTIVE PAYMENTS BY RAILROADS.—A
 17 State may not make an incentive payment under
 18 paragraph (1) to a local government with respect to
 19 the closure of a crossing unless the railroad owning
 20 the tracks on which the crossing is located makes an
 21 incentive payment to the government with respect to
 22 the closure.

23 “(3) AMOUNT OF STATE PAYMENT.—The
 24 amount of the incentive payment payable to a local

1 government by a State under paragraph (1) with re-
 2 spect to a crossing may not exceed the lesser of—

3 “(A) the amount of the incentive payment
 4 paid to the government with respect to the
 5 crossing by the railroad concerned under para-
 6 graph (2); or

7 “(B) \$7,500.

8 “(4) USE OF STATE PAYMENTS.—A local gov-
 9 ernment receiving an incentive payment from a
 10 State under paragraph (1) shall use the amount of
 11 the incentive payment for transportation safety im-
 12 provements.”.

13 **SEC. 3. GUIDELINES FOR ANALYSIS OF COSTS AND BENE-**
 14 **FITS OF NEW RAILWAY-HIGHWAY CROSSINGS.**

15 Not later than 18 months after the date of the enact-
 16 ment of this Act, the Secretary of Transportation shall
 17 prescribe guidelines to assist the States in analyzing the
 18 costs and benefits to the public of new railway-highway
 19 grade crossings. The purpose of the guidelines is to en-
 20 courage uniformity in the analysis of such costs and bene-
 21 fits by the States.

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